

ZFW



PATENT  
Customer No. 22,852  
Attorney Docket No. 08048.0023-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Jean-Louis H. GUERET ) Group Art Unit: 3751  
)  
Application No.: 10/810,644 ) Examiner: David J. Walczak  
)  
Filed: March 29, 2004 ) Confirmation No.: 9577  
)  
For: DEVICE AND METHOD FOR )  
APPLYING A COSMETIC )  
PRODUCT )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

In an Office Action dated March 17, 2006, an election under 35 U.S.C. § 121 of one of the following asserted species was required:

- Species I, shown in Fig. 1;
- Species II, shown in Fig. 2;
- Species III, shown in Fig. 3;
- Species IV, shown in Fig. 4;
- Species V, shown in Fig. 5; and
- Species VI, shown in Fig. 6.

Applicant provisionally elects Species IV (Fig. 4). At least claims 1-21 and 23-46 are "readable" on Species IV.

The Office Action at page 2 indicates that claim 1 is generic. Applicant respectfully notes that at least independent claims 31 and 40 are also generic.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 17, 2006

By: 

Christopher T. Kent  
Reg. No. 48,216